

JAN 22 1997

Ronald L. Wilson, Director Health Assessment Policy Staff Office of Health Affairs (HFY-20) Food and Drug Administration 5600 Fishers Lane, Room 15-22 Rockville, MD 20857 UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Re: BAYTRIL®

FDA Docket No. 96E-0504

## Dear Mr. Wilson:

Transmitted herewith is a copy of the application for patent term extension of U.S. Patent No. 4,670,444 which issued June 2, 1987. The application was filed on December 3, 1996, under 35 U.S.C. § 156.

The patent claims a product that was subject to regulatory review under the Federal Food, Drug and Cosmetic Act. Subject to final review, the subject patent is considered to be eligible for patent term restoration. Thus, a determination by your office of the applicable regulatory review period is necessary. Accordingly, notice and a copy of the application are provided pursuant to 35 U.S.C. § 156(d)(2)(A).

Telephone inquiries regarding this matter should be directed to the undersigned at (703)306-3159.

Karin Tyson Legal Advisor

Special Program Law Office

Office of the Deputy Assistant Commissioner

for Patent Policy and Projects

cc: Kurt G. Briscoe

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